REMARKS

This is in full and timely response the non-final Office Action mailed on October 18, 2006. Reexamination in light of the following remarks is respectfully requested.

Claims 1-7 are currently pending in this application, with claims 1, 6 and 7 being independent.

No new matter has been added.

Rejection under 35 U.S.C. §112

Paragraph 4 of the Office Action indicates a rejection of claims 1-7 under 35 U.S.C. §112, second paragraph.

This rejection is traversed at least for the following reasons.

The Office Action contends that the term "the game" allegedly found within claims 1, 6, and 7 lack an antecedent basis (Office Action at page 3).

In response to this contention, an Amendment After Final Action (37 C.F.R. Section 1.116) has been filed on May 15, 2006. The Advisory Action mailed on April 13, 2006 denied entry of the Amendment.

Paragraph 2 of the Office Action indicates that the finality of the Office Action dated December 15, 2005 has been withdrawn.

In this regard, practice and procedures established by the U.S. Patent and Trademark Office dictate that ***all amendments*** filed after the final rejection are ordinarily *entered when a final rejection is withdrawn*. M.P.E.P. §706.07(e).

Specifically, any after final amendment or affidavit or other evidence that was not entered before *must be entered and considered on the merits*. M.P.E.P. §1207.04.

Within the Amendment After Final Action (37 C.F.R. Section 1.116) of May 15, 2006, claims 1, 6, and 7 have been amended. Claims 1, 6, and 7 as amended by the Amendment of May 15, 2006 is shown hereinabove within the "Amendments to the Claims" section of the present amendment. As such, the term "the game" is *absent* from claims 1, 6, and 7.

Acknowledgement of the entry of the Amendment After Final Action (37 C.F.R. Section 1.116) of May 15, 2006, and withdrawal of the rejection of the claims is respectfully requested.

Rejection under 35 U.S.C. §102

Paragraph 5 of the Office Action indicates a rejection of claims 1-7 under 35 U.S.C. §103 as allegedly being unpatentable over U.S. Patent No. 6,835,135 to Silverbrook et al. (Silverbrook) in view of U.S. Patent No. 6,807,521 to Kurosawa et al. (Kurosawa).

This rejection is traversed at least for the following reasons.

Claim 1 - Claim 1 is comprised of the following means:

character data storage means for storing character data, said character data representing a character;

character data extraction means for extracting said character data from said character data storage means;

character layout information input means for inputting card layout information, said card layout information specifying a card layout for said character shown in said character data extracted by said character data extraction means;

card display image information generation means for generating card display image information, said card display image information indicating positioning within a card display image of said character shown in said character data extracted by said

character data extraction means, said positioning being in accordance with said layout information input by said character layout information input means; and

card display image information output means for outputting card display image information generated by the card display image information generation means to a printer.

Claim 6 - Claim 6 is comprised the following processes:

a process to store character data, said character data being data representing a character, character data storage means storing said character data;

a process to extract said character data from said character data storage means;

a process to input card layout information specifying a card layout for said character shown in said extracted character data;

a process to generate card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information; and

a process to output said generated card display image information to a printer.

Claim 7 - Within claim 7, said program on said medium executes the functions of:

storing character data, said character data being data representing a character, character data storage means storing said character data;

extracting said character data from said character data storage means;

inputting card layout information specifying the card layout for said character shown in said extracted character data;

generating card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information; and

outputting said generated card display image information to a printer.

Silverbrook - Silverbrook arguably teaches that the DVD player module 3 is able to accept storage means in the form of standard DVD game discs 10 as is becoming popular in the industry (Silverbrook at column 2, lines 58-60).

Silverbrook arguably teaches a video game system enabling print on demand cards 56 (Silverbrook at column 3, lines 61-63).

Silverbrook arguably teaches that the brag cards can be personalised with the game players name, score, chosen character, accumulated wealth or objects, etc. (Silverbrook at column 3 line 67 to column 4, line 2).

The Office Action contends that Silverbrook teaches the presence of a character data storage means for storing character data, said character data representing a character (Office Action at page 3).

In response, Silverbrook arguably teaches a video gaming console wherein a processor 51 utilizes *memory 52 for standard video game functions* and interacts with a print controller chip 53 (Silverbrook at column 2, lines 63-64).

- *However, the Office Action fails to show that the standard video game functions of Silverbrook and the character data of the claimed invention are the same.*

The Office Action contends that <u>Silverbrook</u> teaches the presence of a character data extraction means (Office Action at page 3).

In response, <u>Silverbrook</u> *fails* to disclose, teach or suggest the extraction of specified character data from the memory 52. Instead, <u>Silverbrook</u> arguably teaches that the cards could also include a photographic likeness where the video game arrangement includes *an optional image sensor 55* (Silverbrook at column 4, lines 3-5).

As a result, <u>Silverbrook</u> *fails* to disclose, teach or suggest:

- *character data extraction means for extracting said specified character data from said character data storage means, of claim 1;*

- *a process to extract said specified character data from said character data storage means, of claim 6; and*

- *extracting said specified character data from said character data storage means, of claim 7.*

- *Moreover, there is no teaching within <u>Silverbrook</u> that the standard DVD game discs 10 store data on a character.*

<u>Silverbrook</u> arguably teaches a video gaming console wherein a processor 51 utilizes memory 52 for standard video game functions and interacts with a print controller chip 53 (Silverbrook at column 2, lines 63-64).

- *Yet, there is no teaching within <u>Silverbrook</u> that the memory 52 stores data on a character.*

<u>Silverbrook</u> arguably teaches that the DVD player can be adapted to play standard DVD movies in addition to being configured to read CD-ROMs so as to provide information from encyclopaedias, maps etc provided by other CD-ROMs or DVD disks (Silverbrook at column 4, lines 7-10).

Nevertheless, there is no teaching within <u>Silverbrook</u> that the CD-ROMs or DVD disks store data on a character.

<u>Silverbrook</u> arguably teaches that additionally, although the preferred embodiment described is designed for optional use with non portable external display and control devices, the game storage medium, controls, game processor, screen, audio and printer may all be housed in the same housing, and this may be pocket sized if required (Silverbrook at column 4, lines 18-24).

Nevertheless, there is no teaching within <u>Silverbrook</u> that the game storage medium stores data on a character.

- *Thus, <u>Silverbrook</u> fails to disclose, teach or suggest storing character data, said character data being data representing a character appearing in a game.*

In this regard, <u>*Silverbrook*</u> *also fails to disclose, teach or suggest* character data extraction means for extracting said character data from said character data storage means.

<u>Silverbrook</u> arguably teaches a video game system enabling print on demand cards 56 (Silverbrook at column 3, lines 61-63).

<u>Silverbrook</u> arguably teaches that the brag cards can be personalised with the game players name, score, chosen character, accumulated wealth or objects, etc. (Silverbrook at column 3 line 67 to column 4, line 2).

Nevertheless, <u>Silverbrook</u> is *<u>silent</u>* as to a means for inputting information specific to the layout of the demand card 56 or a brag card.

- *Thus, <u>Silverbrook</u> also fails to disclose, teach or suggest inputting card layout information specifying a card layout.*

As previously noted hereinabove, <u>*Silverbrook*</u> *also fails to disclose, teach or suggest* character data extraction means for extracting said character data from said character data

storage means. As a consequence, the card layout for the demand cards 56 or the brag cards as being extracted by character data extraction means is absent from within <u>Silverbrook</u>.

- *Thus, <u>Silverbrook fails</u> to disclose, teach or suggest a card layout indicating a card layout for said character shown in said character data extracted by said character data extraction means.*

<u>Silverbrook</u> arguably teaches processing means for executing said interactive program at least partially in reliance upon the interaction data, thereby to generate display images for output to an image display means (Silverbrook at column 2, lines 19-23).

Yet, <u>Silverbrook</u> is <u>*silent*</u> as to the generation of display images for output to an image display means that shows where within the demand card or the brag card that a character is positioned.

- *Thus, <u>Silverbrook fails</u> to disclose, teach or suggest generating card display image information, said card display image information indicating positioning of said character within a card display image.*

<u>Kurosawa</u> - The Office Action <u>admits</u> that <u>Silverbrook</u> does not disclose expressly wherein the character data storage means is located within the card making device, and cites <u>Kurosawa</u> for the features admitted deficient from within <u>Silverbrook</u> (Office Action at page 4).

<u>Kurosawa</u> arguably teaches a computer readable program product, game control method, and video game system.

<u>Kurosawa</u> arguably teaches that the RAM 14, as shown in FIG. 2, has defined in it a program storage area 14A for storing the game program, an image data storage area 14B for storing the background, characters, and other image data required in the process of execution of the game program, an ability relation data storage area 14C, and a character ability data storage area 14D (Kurosawa at column 3, line 66 to column 4, line 5).

- *Like Silverbrook, Kurosawa fails to disclose, teach or suggest inputting card layout information specifying a card layout.*

- *Also like Silverbrook, Kurosawa fails to disclose, teach or suggest generating card display image information, said card display image information indicating positioning of said character within a card display image.*

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Conclusion

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of the amendments and remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753, or the undersigned attorney.

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: January 3, 2007   Respectfully submitted,

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